

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

FMC CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 14-051-LPS
)	
SUMMIT AGRO USA, LLC and SUMMIT)	
AGRO NORTH AMERICA HOLDING)	
CORPORATION,)	
)	
Defendants.)	

STIPULATION AND [PROPOSED] ORDER

WHEREAS, Plaintiff FMC Corporation ("FMC") presently anticipates filing a Motion for a Preliminary Injunction on or before March 6, 2014 (the "PI Motion");

WHEREAS, FMC anticipates relying on proprietary, non-public, and/or confidential business information in support of the PI Motion;

WHEREAS, Defendants Summit Agro USA, LLC and Summit Agro North America Holding Corporation (jointly, "Summit") may need to rely on proprietary, non-public, and/or confidential business information in opposing the PI Motion;

WHEREAS, the parties anticipate that the prosecution and defense of the PI Motion will concern allegations of patent infringement, false designation of origin of Defendants' products, and other grounds that FMC contends support the entry of a preliminary injunction;

WHEREAS, the parties have conferred and agree that, subject to the Court's approval, it would be appropriate for the PI Motion and related briefing and supporting documents to be filed under seal, and to the extent necessary, that the parties be permitted to file briefs in excess of the

page limits contemplated by the Local Rules and that the parties be permitted to complete briefing according to the briefing schedule set forth below; and therefore

IT IS HEREBY STIPULATED AND AGREED by the parties to this action, subject to the approval of the Court, that:

1. The PI Motion, related briefing and other supporting documents may be filed under seal, provided however, that the parties shall comply with Section G of the Administrative Procedures Governing Filing and Service by Electronic Means regarding the filing of redacted versions of sealed documents and D. Del. LR 26.2;

2. FMC is permitted to file an Opening Brief in support of the PI Motion of up to thirty (30) pages in length;

3. Summit is permitted to file an Answering Brief in opposition to the PI Motion of up to thirty (30) pages in length; and

4. FMC is permitted to file a Reply Brief in support of the PI Motion of up to fifteen (15) pages in length;

5. FMC's Opening Brief in support of the PI Motion will be filed on or before March 6, 2014.

6. Summit's Answering Brief in opposition to the PI Motion shall be due on April 9, 2014; and

7. FMC's Reply Brief in support of the PI Motion shall be due on April 30, 2014.

/s/ Daniel M. Silver

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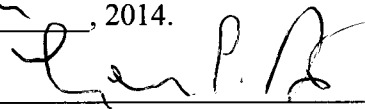
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Dated: March 4, 2014

SO ORDERED this 5th day of March, 2014.


United States District Judge